

From: Steve Kardell <skardell@kardelllawgroup.com>  
Subject: RE: ... no objection from you guys?  
Date: September 1, 2020 at 1:07:17 PM CDT  
To: "'hutch@hsjustice.com'" <hutch@hsjustice.com>  
Cc: Rafe Foreman <srforeman@hsjustice.com>, Juan Antonio Lozada <juan@tximmigrationlaw.com>, Laura Smith <lsmith@kardelllawgroup.com>

I don't disagree but I would like to see what you guys plan to file .



Steve Kardell

***Board Certified Labor & Employment Law; Texas Board of Legal Specialization***

**KARDELL** | LAW GROUP

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Email: [skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)

Website: [www.dallaswhistleblowerlawyer.com](http://www.dallaswhistleblowerlawyer.com)





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**From:** hutch@hsjustice.com <hutch@hsjustice.com>

**Sent:** Tuesday, September 1, 2020 1:06 PM

**To:** Steve Kardell <skardell@kardelllawgroup.com>

**Cc:** Rafe Foreman <srforeman@hsjustice.com>; Juan Antonio Lozada <juan@tximmigrationlaw.com>; Laura Smith <lsmith@kardelllawgroup.com>

**Subject:** Re: ... no objection from you guys?

Steve

I honestly don't think we need your affidavit. The Court is not going to care about their stupid allegations of "intent." Your intent is irrelevant to the analysis. The only thing the Court is going to address is the "sweep" of the allegations. She has already written an extensive opinion regarding this issue in this same case and I don't think we need to muddy the waters too much. I was going to attach your affidavit because I thought it would make you feel better to be able to controvert what they said about your intent, implying something nefarious. But I think I have a handle on the applicable law and that doesn't need to be addressed in an affidavit.



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On Sep 1, 2020, at 1:02 PM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

Noted.

<image001.png>

Steve Kardell

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<image002.png>

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**From:** Rafe Foreman <[srforeman@hsjustice.com](mailto:srforeman@hsjustice.com)>  
**Sent:** Tuesday, September 1, 2020 1:01 PM  
**To:** Steve Kardell <[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)>  
**Cc:** [hutch@hsjustice.com](mailto:hutch@hsjustice.com); Juan Antonio Lozada  
<[juan@tximmigrationlaw.com](mailto:juan@tximmigrationlaw.com)>  
**Subject:** Re: ... no objection from you guys?

Strenuous objection.

**S. Rafe Foreman**  
[srforeman@hsjustice.com](mailto:srforeman@hsjustice.com)

*"Get you knee off my neck"*

*In Memory of George Floyd 5/25/2020*

*"The only thing necessary for the triumph of evil is for good men to do nothing".*

*Edmund Burke 1729-1797*

*"Do Something!"*

*El Paso/Dayton crowds 8/5/2019*

*"Travel is fatal to prejudice, bigotry, and narrow-mindedness..."*

*Mark Twain- The Innocents Abroad*

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1312 Texas Avenue, Suite 101  
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(806) 491-9911 fax

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On Sep 1, 2020, at 1:00 PM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

As far as the procedure is concerned, we're looking at that right now. Obviously we would prefer to attach our affidavit to your motion, but without being able to see the motion, we are pretty much in the dark as to how you plan to address the issues. The simple solution would be to send me over what you have so far and I can see if that looks OK from our perspective.

Your (e.g., Rafe's) objection is noted .

<image001.png>

Steve Kardell

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Specialization***

<image002.png>

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**From:** [hutch@hsjustice.com](mailto:hutch@hsjustice.com) <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>  
**Sent:** Tuesday, September 1, 2020 12:56 PM  
**To:** Steve Kardell <[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)>  
**Cc:** Juan Antonio Lozada <[juan@tximmigrationlaw.com](mailto:juan@tximmigrationlaw.com)>; Rafe Foreman <[srforeman@hsjustice.com](mailto:srforeman@hsjustice.com)>  
**Subject:** Re: ... no objection from you guys?

I'm not sure. I've never heard of a non-party filing their own response.  
I don't think I really understand what you are doing

<image009.png>

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On Sep 1, 2020, at 12:54 PM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

I'm assuming there would be no objection from you guys on this, right?

<image001.png>

Steve Kardell

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<image002.png>

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**From:** Steve Kardell

**Sent:** Tuesday, September 1, 2020 12:53 PM

**To:** '[hutch@hsjustice.com](mailto:hutch@hsjustice.com)' <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>

**Subject:** ... it might be less cumbersome for me to file my own response

Any idea when I could see a rough draft of what you guys plan to file? I just left you a voicemail on this .

What I'm thinking is it might be less cumbersome for you guys if I file my own response .

I checked with Barcus on this a few minutes ago and he says MoneyGram has no objection.

I need to make a decision on this pretty quickly, however. Seeing your draft would be helpful.

<image001.png>

Steve Kardell

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<image002.png>

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**From:** [hutch@hsjustice.com](mailto:hutch@hsjustice.com) <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>  
**Sent:** Tuesday, September 1, 2020 12:38 PM  
**To:** Steve Kardell <[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)>  
**Subject:** Re: can i see your draft so far?

Hey Steve

My associate is working on our Response as we speak. I can tell you that we are focused on the scope of what can arise out of the admin complaint and that the admin complaint was intentionally broad for that very reason, that Wallace doesn't require specific acts as demonstrated by the language analyzed in that case

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On Sep 1, 2020, at 12:26 PM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

I just left you a voicemail on this.

<image001.png>

Steve Kardell

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<image002.png>

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**From:** Steve Kardell  
**Sent:** Tuesday, September 1, 2020 11:49 AM  
**To:** '[hutch@hsjustice.com](mailto:hutch@hsjustice.com)' <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>  
**Subject:** RE: SK Declaration; did you mean ...

Can you send me your draft? That would help. Filing deadline is tomorrow, right?

<image001.png>

Steve Kardell

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<image002.png>

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**From:** [hutch@hsjustice.com](mailto:hutch@hsjustice.com) <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>

**Sent:** Tuesday, September 1, 2020 11:45 AM

**To:** Steve Kardell <[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)>

**Subject:** Re: SK Declaration; did you mean ...

yes, sorry

<image009.png>

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On Sep 1, 2020, at 11:37 AM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

Did you mean to say "Can you remove III and IV"

<image001.png>

Steve Kardell

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<image002.png>

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**From:** [hutch@hsjustice.com](mailto:hutch@hsjustice.com) <[hutch@hsjustice.com](mailto:hutch@hsjustice.com)>

**Sent:** Tuesday, September 1, 2020 10:01 AM

**To:** Steve Kardell <[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)>

**Cc:** Laura Smith <[lsmith@kardelllawgroup.com](mailto:lsmith@kardelllawgroup.com)>; Juan Antonio Lozada <[juan@tximmigrationlaw.com](mailto:juan@tximmigrationlaw.com)>; Rafe Foreman <[srforeman@hsjustice.com](mailto:srforeman@hsjustice.com)>

**Subject:** Re: REVISED DRAFT Declaration of SK; 9-1-2020

Thanks Steve. I think I and II are helpful. I think III and IV are argument and worry that they would be used as a basis to exclude the declaration. Can you remove II and III? Thanks, Susan  
<image009.png>



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On Sep 1, 2020, at 7:34 AM, Steve Kardell  
<[skardell@kardelllawgroup.com](mailto:skardell@kardelllawgroup.com)> wrote:

**See attached. We have a few cites missing. Adding now. If you have any comments, be sure and copy Laura Smith, email above**

<REVISED DRAFT Declaration of SK; 9-1-2020.docx>

